

13202.00271



Rec'd PCT/PTO 27 JUN 2001 #3

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: NYA
DONALD R. RICCI, ET AL.)
: Group Art Unit: NYA
Application No.: 09/744,916)
:
Filed: January 31, 2001)
:
For: VESSEL EXPANDABLE STENT) June 27, 2001
AND METHOD FOR :
PRODUCTION OF SAME)

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

ATTENTION: APPLICATION PROCESSING DIVISION, SPECIAL
PROCESSING AND CORRESPONDENCE BRANCH

RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS
AND PETITION UNDER 37 C.F.R. 1.136(a)

Sir:

08/14/2001 AYILHAZ 00000010 501710 09744916

01 FC:117
02 FC:154

890.00 CH
130.00 CH

Initially, Applicants would like to change docket no.

"1960.236" to --13202.00271--.

Applicants petition the Commissioner for Patents to
extend the time for response to the Notice To File Missing
Requirements dated February 27, 2001 for three (3) months from
March 27, 2001 to June 27, 2001.

In response to the NOTICE TO FILE MISSING REQUIREMENTS mailed February 27, 2001, enclosed please find an executed Declaration/Power of Attorney form. Also enclosed is a copy of the NOTICE TO FILE MISSING REQUIREMENTS paper.

The Commissioner is hereby authorized to charge Deposit Account No. 50-1710 for the \$130.00 surcharge fee and the 890.00 extension of time fee. The Commissioner is also authorized to charge any additional fees due with respect to this filing to Deposit Account No. 50-1710.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants

Registration No. 31,588

PATENT ADMINISTRATOR
KATTEN MUCHIN ZAVIS
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/744916	RICCI	D 1960.236

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INTERNATIONAL APPLICATION NO.	
PCT/CA99/00694	
I.A. FILING DATE	PRIORITY DATE
29 JUL 99	21 JUL 98
DATE MAILED: 27 FEB 2001	

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☐ a non-English language.
☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed JAN. 31, 2001 and

☒ Information Disclosure Statement(s) filed JAN. 31, 2001 and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Barbara A. Campbell

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